

## Article - Environment

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§15–305.

(a) Any applicant for a certificate of competence shall answer in writing at least ten questions designed to discover his knowledge of mining theory, including ventilation, drainage, mining methods, and the mining laws of the State. In addition, he shall answer orally, if feasible during a visit to a coal mine, at least ten questions on practical mine problems which are designed to display his perception, resourcefulness, and practical judgment. The oral questions and replies shall be reduced to writing and become a part of the record of the examination. The examining authority shall grade an applicant on a basis of 100 points credited for perfect answers, allowing equal weight for each qualification of theoretical knowledge, perception, resourcefulness, and judgment. Any applicant failing to receive an average of at least 70 points fails the examination. Each applicant shall be notified of his grade.

(b) An applicant for a first-class certificate of competence shall be admitted to an examination after he files, on a form the examining authority provides, a sworn statement as to any matter of fact which establishes his right to take the examination, and pays the fee prescribed for the examination. In the examination for first-class mine foreman certificate, the applicant shall be tested as to his theoretical knowledge of noxious and explosive gas found in a coal mine. In addition, he shall answer orally, if feasible during a visit in a gaseous coal mine, at least ten questions on practical mine problems which are designed to display his perception, resourcefulness, and practical judgment. The examination procedure and grading shall be as provided in subsection (a) of this section.

(c) In the examination for fire-boss certificate, the applicant shall be tested as to his theoretical knowledge of noxious and explosive gas found in a coal mine. In addition, he shall answer orally, if feasible during a visit in a gaseous coal mine, at least ten questions on practical mine problems which are designed to display his perception, resourcefulness, and practical judgment. The examination procedure and grading shall be as provided in subsection (a) of this section.

(d) In the examination for a permit of competence:

(1) The examining authority shall give the examination;

(2) The applicant shall pay the examining authority a \$1 examination fee for each examination taken;

(3) At the discretion of the examining authority, the examination may be oral or written. If the examination is oral, it shall be reduced to writing and filed among the examining authority's records;

(4) The examination shall include practical mining questions relating to ventilation and the methods of detecting noxious and explosive gas in a mine;

(5) The applicant shall demonstrate to the examining authority that he is qualified to supervise the operation of a small mine;

(6) If the applicant fails the examination, he may request another examination after 60 days from the unsuccessful examination and the examining authority shall conduct another examination as soon as practicable; and

(7) The examining authority shall issue a "permit of competence" if the applicant is found qualified. No applicant may be required to display the theoretical knowledge required for the holder of a first-class certificate. He shall be qualified in the practicable aspects of conditions relating to the safety of the employees of this type mine.

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